

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION**

<b>CYNTHIA D. FRANKLIN,</b>	<b>) CIVIL NO. 5:05CV246</b>
	)
<b>Plaintiff,</b>	)
<b>v.</b>	)
	)
<b>JO ANNE B. BARNHART,</b>	)
<b>Commissioner of Social Security,</b>	)
	)
<b>Defendant.</b>	)

**THIS MATTER** is before the Court on Plaintiff's "Petition For Attorney's Fee and Costs" filed on August 24, 2005 (document #18). By Response filed on April 5, 2006, Defendant advises that the Commissioner will not oppose an award of legal fees in the amount of \$1,275.00 plus \$250.00 in filling fees, provided this is the only petition filed by Plaintiff in this case under 28 U.S.C. §2412(d).

**NOW THEREFORE, IT IS ORDERED:**

1. Plaintiff's 'Petition For Attorney's Fees And Costs' (document #18) is **GRANTED**, that is, counsel for Plaintiff shall be paid the sum of \$1,525.00 (\$1,275.00 in legal fees plus \$250.00 in filling fees).
2. No additional petition pursuant to 28 U.S.C. §2412(d) shall be filed.
3. The Clerk is directed to serve copies of this order to counsel for the parties.

**SO ORDERED.**

Signed: April 5, 2006

*Carl Horn, III*

Carl Horn, III  
United States Magistrate Judge

